

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY JE D.C.

05 OCT 26 AM 10:55

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

REGENIA BROOKS and BRUCE
BROOKS,

Plaintiffs,

vs.

OLIVE GARDEN ITALIAN
RESTAURANT-1553, and GMRI,
INC.,

Defendants.

No. 05-2646 MaV

ORDER GRANTING PLAINTIFFS' MOTION TO AMEND COMPLAINT

Before the court is the October 5, 2005 motion of the plaintiffs, Regenia Brooks and Bruce Brooks, to amend the complaint to properly name the defendant as "GMRI, Inc. d/b/a The Olive Garden." The defendant stated that this was the correct name in its answer to the original complaint.

Pursuant to Local Rule 7.2(a)(2), responses to motions in civil cases are to be filed within fifteen days after service of the motion. The defendant has not filed a response to this motion, and the time for responding has now expired. Rule 7.2(a)(2) further provides that "[f]ailure to respond timely to any motion . . . may be deemed good grounds for granting the motion."

In the absence of any response by the defendant, the plaintiffs' motion to amend the complaint is granted. The

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plaintiffs are directed to file the amended complaint within fifteen days of the date of this order and serve it on the defendant.

IT IS SO ORDERED this 25th day of October, 2005.



DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02646 was distributed by fax, mail, or direct printing on October 26, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT